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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/727.419 12/01/00 MARSHALL

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EXAMINER

LEE, Y

ART UNIT

PAPER NUMBER

2875

DATE MAILED:

07/18/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/727,419

Applicant(s)

MARILYN J. MARSHALL

Examiner

Y QUACH LEE

Group Art Unit

2875

— The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE Three (3) MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- ☒ Responsive to communication(s) filed on 12/01/2000
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 1 1; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1 to 10 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1 to 10 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement

Application Papers

- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☒ The drawing(s) filed on 12/01/2000 is/are objected to by the Examiner
- ☒ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).
- ☐ All ☐ Some* ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. _____.
- ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a))

*Certified copies not received: _____

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2
- ☒ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

DETAILED ACTION

Drawings

1. The drawing figure 5 is objected to because there is no lead line for reference numeral "15". Correction is required.
2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "19" has been used to designate both "a carrying strap" in figure 1 and "a mirror" in figure 5. Correction is required.

Specification

3. The disclosure is objected to because of the following informalities: On page 9, the reference numeral "19" is used for two separate elements, "a carrying strap" on line 6, and "a mirror" on line 12. On page 11, the reference numeral "15" on line 12 is incorrect in view of line 2 of page 9. On page 11, the reference numeral "43" is inaccurate in view of line 14 of the same page. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. Claims 1 to 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, it is not clear what also includes a side compartment? It is not clear how are the side compartment, the main compartment, ... are situated with respect to one another such that there is a functioning apparatus?

In claim 5, it is not clear how are the transparent wall and the identification card holder situated with respect to one another such that the identification card is allowed to be visible in the identification card holder?

In claim 6, there is no clear antecedent basis for "said **side walls**".

In claim 7, the term "each" is not clear. It should be changed to --each of said holders--. The language "**an** exterior of said side walls" and "**one** of said walls" is inaccurate in view of the

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previous term "fasteners" (plural). They should be changed to --exteriors of said side walls-- and --said walls--.

In claim 10, it is not clear what also includes a side compartment? It is not clear how are the side compartment, the main compartment, ... are situated with respect to one another such that there is a functioning apparatus? It is not clear how are the transparent wall and the identification card holder situated with respect to one another such that the identification card is allowed to be visible in the identification card holder? Therefore, on line 26, after "wall", the language --attached to the identification card holder-- should be inserted.. There is no clear antecedent basis for "said **side** walls". The term "each" is not clear. It should be changed to --each of said holders--. The language "**an** exterior of said side walls" and "**one** of said walls" is inaccurate in view of the previous term "fasteners" (plural). They should be changed to --exteriors of said side walls-- and --said walls--.

Claims 2 to 4, 8 and 9 depend on rejected claim 1 and as such are also rejected.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Southwick in view of Kidder et al.

Southwick discloses a handbag assembly (20) including a bag (21) having walls (24, 26, 27, ...), a main compartment (30), an opening into the main compartment, a side compartment (22, 46), a cover member (69) being removably closed over the side compartment, a fastening member (45) for closing the cover member over the side compartment, a carrying strap (36) having ends securely attached to the bag, a fastener (64, 63, 59) for closing the opening into the

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main compartment, and a plurality of pockets (52, 53, 56, 78, ...) securely attached to the bag. However, Southwick does not disclose a light emitting means removably attached to the bag.

Kidder et al. teach that it is known in the art to include a light emitting means (10) removably attached to the bag so that the light emitting means can illuminate the interior of the bag during darkness and can be used from one bag to another bag.

It would have been obvious to one skilled in the art to provide Southwick with a light emitting means removably attached to the bag, as shown by Kidder et al., for not only illuminating the interior of the bag but also using from one bag to the other bag.

7. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Strong in view of Hill.

Strong discloses a handbag assembly including a bag (10, 110) having walls (14, 20 ...), a main compartment (12, 112), an opening (24, 124) into the main compartment, a side compartment (30, 130), a cover member (32, 132) being removably closed over the side compartment, a fastening member (38, 40, 42, 138, 140, 142) for closing the cover member over the side compartment, a carrying strap (figure 3) having ends securely attached to the bag, and a fastener (26, 126) for closing the opening into the main compartment. However, Strong does not disclose a plurality of pockets securely attached to the bag and a light emitting means removably attached to the bag.

Hill teaches that it is known in the art to secure a plurality of pockets (figure 1) to the bag to organize and store different items in the bag and to include a light emitting means (10) removably attached to the bag so that the light emitting means can illuminate the interior of the bag during darkness and can be used from one bag to the other bag.

It would have been obvious to one skilled in the art to provide Strong with a plurality of pockets, as shown by Hill, to organize and store different items within the bag and to provide Strong with a light emitting means removably attached to the bag, as shown by Hill, for not only illuminating the interior of the bag but also using from one bag to the other bag.

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8. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Steinhart in view of Kidder et al., Benjafield, and Ryan.

Steinhart discloses a handbag assembly including a bag (10) having walls, a main compartment (41) having an opening into the main compartment, a side compartment (55), a cover member (56) being removably closed over the side compartment, a fastening member (column 5, line 21) for closing the cover member over the side compartment, a carrying strap (19) having ends securely attached to the bag, a fastener (16, 17) for closing the opening into the main compartment, a plurality of pockets (20, 32, 60) securely attached to the bag, and a coin pouch (39) securely attached to the bag in the side compartment. However, Steinhart does not disclose a light emitting means removably attached to the bag, a mirror securely attached to the cover member, a hook assembly securely attached to one of the walls of the bag for holding keys and mace, and the coin pouch closeable with a zipper member.

Kidder et al. teach that it is known in the art to include a light emitting means (10) removably attached to the bag so that the light emitting means can illuminate the interior of the bag during darkness and can be used from one bag to another bag.

Benjafield teaches a mirror (9) securely attached to a cover member (7) to allow the user to gaze into the mirror when necessary.

Ryan teaches a hook assembly (1, figure 1) securely attached to one of the walls of the bag for holding keys and other objects would inherently include mace.

It would have been obvious to one skilled in the art to provide Steinhart with a light emitting means removably attached to the bag, as shown by Kidder et al., for not only illuminating the interior of the bag but also using from one bag to the other bag. It would have also been obvious to one skilled in the art to provide the cover member of Steinhart with a mirror, as shown by Benjafield, for allowing the user to gaze when necessary. It would have further been obvious to one skilled in the art to provide Steinhart with a hook assembly, as shown by Ryan, for holding keys and other objects. Note that closing the coin pouch with a zipper, as opposed to other fastening means, would have been an obvious matter of design choice which provides no unusual,

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unobvious, and/or unexpected result and is therefore deemed to fall within a purview of an ordinary engineering designed technique to provide any fastening means as long as it closes the coin pouch.

9. Claims 3 to 9 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112 set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.


10. Claim 10 would be allowable if rewritten or amended to overcome the rejection(s) under U.S.C. 112 set forth in this Office action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Y. Quach Lee whose telephone number is (703) 308-1939. The examiner can normally be reached on Tuesday and Thursday from 8:30 am to 4:30 pm.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

Y. Q.
July 3, 2001


Y. Quach Lee
Patent Examiner
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